ORIGINAL

KEANE & BEANE, P.C. Richard A. Levin (RL-7064) 445 Hamilton Ave. White Plains, New York 10601 (914) 946-4777 Attorneys for Defendant

UNITED STATES DISTRICT COURT SOLITHERN DISTRICT OF NEW YORK

RAYMOND MERZ, Plaintiff, 06 Civ. 5750 (WCC)

ECF CASE

V.

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

HENDRICK HUDSON SCHOOL DISTRICT, Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for Plaintiff Raymond Merz and Defendant Hendrick Hudson School District, that the above entitled action against Defendant be, and the same hereby is, dismissed in its entirety with prejudice, and without costs or fees to any party.

Pholes Dated: January 5, 2007

KEANE & BEANE, P.C.

Richard A. Levin (RL-7064)

Attorneys for Defendant 445 Hamilton Ave.

White Plains, NY 10601

914.946.4777

GOODSTEIN & WEST

Robert Goodstein (RG 5443)

Attorney for Plaintiff 56 Harrison St., Suite 401

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914.632.8382

SO ORDERED: White Plains, NY

WILLIAM C. CONNER, SenigU.S.D.J.

COLIER WISTAN TO COMMENT OF MERCORD

Salea Feb. 6,2007

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